

**TOWN OF CONCORD
SELECT BOARD
AGENDA
MAY 24, 2021
4:00 PM
VIDEO CONFERENCE**

Join Zoom Meeting

<https://us02web.zoom.us/j/84092395810?pwd=TnMyWmprWHBlA21CczdQM0EvWVVFZz09>

Meeting ID: 840 9239 5810

Passcode: 865209

One tap mobile

+16465588656,,84092395810# US (New York)

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#	Agenda Item
1.	Call to Order
2.	Consent Agenda <ul style="list-style-type: none"> • Minutes to approve: April 26, 2021 • Town Accountant Warrants: May 20, 2021
3.	Town Manager's Report
4.	Chair's Remarks
5.	Town of Concord Response to the Governor Rescinding the Declaration of Emergency Order
6.	Update on Assistive Technology Plans for Town House Renovation
7.	911 Regional Dispatch Governance Agreement
8.	Review Select Board Warrant Article Narratives Assignment List
9.	Applications for New Tour Guide Licenses
10.	Committee Nominations: Thomas Swaim of 28 Central Street to the Zoning Board of Appeals for a term to expire on April 30, 2024. Elizabeth Akehurst-Moore of 86 Holden Wood Road to a second term on the Zoning Board of Appeals to expire on April 30, 2024. Andrew Boardman of 110 Hillcrest Road to the Planning Board for a term to expire April 30, 2026. Josh Galper of 65 Stone Root Lane to the White Pond Advisory Committee for a term to expire on April 30, 2024.
11.	Town Manager Appointment with Select Board Approval: Gary Kleiman of 57 Central Street to the Natural Resources Commission for a term to expire on April 30, 2024.
12.	Committee Liaison Reports
13.	Miscellaneous Correspondence
14.	Public Comments
15.	Adjourn

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Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference on April 26, 2021 at 4:00pm.

Present were Linda Escobedo, Chair; Susan Bates, Clerk; Jane Hotchkiss, Terri Ackerman, and Matthew Johnson. Also present was Stephen Crane, Town Manager.

Call to Order

Roll call vote

Ms. Escobedo: Present
Ms. Bates: Present
Ms. Ackerman: Present
Ms. Hotchkiss: Present
Mr. Johnson: Present

Consent Agenda

- Town Accountant Warrants: April 15, 2021; April 26, 2021
- Minutes to approve: March 15, 2021; March 22, 2021
- Gift Acceptance: The Friends of Sleepy Hollow Cemetery Inc \$4,000 to the Town of Concord for the revitalization of the H. Thurston Handley Commemorative Garden in Sleepy Hollow Cemetery

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the consent agenda.

Roll call vote

Ms. Escobedo: Aye
Ms. Bates: Aye
Ms. Ackerman: Aye
Ms. Hotchkiss: Aye
Mr. Johnson: Aye

Town Manager's Report

The Library has put together a draft reopening plan. There are a number of vacancies that will be posted in the coming weeks that need to be filled before full reopening can happen so a subsequent announcement about when the Library will reopen should be made soon. Additionally, the Town is engaging a consultant to assist in the search for a new director.

Town Manager Stephen Crane and Police Chief Joseph O'Connor jointly made the following statement after the Chauvin verdict was announced:

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As we noted in our statements shortly after George Floyd's murder, the Town of Concord and Police Department condemned the actions by the officers involved and today's verdict is an affirmation that our system of justice deserves our faith. In condemning the actions that resulted in Mr. Floyd's death, we also highlight the professionalism of our Police Department who embrace best practices and have long-practiced de-escalation techniques and disavowed unnecessary force. The Police Department is committed to treating all people with dignity and respect at all times. We will continue to work to increase trust and transparency so that all who live, attend school, work or visit our town have confidence in our Police Department.

The 2021 Roadway Improvements Project is primarily for the reconstruction of 1.3 miles of streets in the Perter Spring Rd neighborhood that underwent a water main replacement last year and includes milling and filling of certain sections of roads that need immediate repairs. Five bids were received with costs ranging from \$648,000 to \$974,000. The low bidder, Newport Construction of Nashua, NH that also has the 2020 Roads Project is expected to be awarded the 2021 contract. The engineer's cost estimate was approximately \$1.2 million and these favorable bid results make available additional funding needed for the Complete Streets projects – Hubbard St, Commonwealth Ave and Sudbury Rd crosswalk and the Stowe St municipal parking lot repairs. Remaining funds will potentially allow the adding back of a few streets initially scheduled for 2021 but were cut due to a funding shortage.

The spring water main flushing program has been scheduled to take place the weeks of April 26th and May 3rd. Outreach preparation is underway, and residents have been notified of the schedule and targeted areas to be flushed on the Town's website, in the Concord Journal, and via News & Notice.

The Middle School Building Committee has put together a [list of FAQ's](#) for residents to review.

The CPC Application for funding for FY23 will be up on the website by early next week. Applications will be due September 17, 2021 by 4:00pm. The CPC also discussed the possibility of requiring a Preservation Restriction for the Wright Tavern project as a condition for funding.

The Bruce Freeman Rail Trail Advisory Committee is continuing a discussion with residents in the area of the last ½ mile of the trail in Concord regarding questions about the fencing to be shown on the 75% design plans. Additionally, Phase 2B construction of the wildlife corridor under Route 2 will commence this weekend and will be completed next weekend.

Chair's Remarks

Ms. Escobedo noted that the Select Board received a letter from the Finance Committee summarizing their meeting on the previous week regarding the middle school building project. The Finance Committee requested and recommended that the Middle School Building Committee stay under the \$100,000,000 mark for the project. There was also discussion of

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whether or not the escalation cost should have been built in to the projected costs in the last budget. Finally, the Finance Committee's letter asked the Select Board to identify any additional funding sources for the project, particularly if it is projected to cost more than \$100,000,000. The Select Board will discuss the middle school building project in depth at their upcoming meeting on May 3.

Notice of Intent to Sell & Convert Use: Monument Street Parcel 1371-4

At their recent meetings, the Planning Board and the Natural Resources Commission reviewed the Notice of Intent to Sell & Convert Use for Parcel 1371-4 on Monument Street. Both the Planning Board and Natural Resources Commission have recommended that the Select Board not exercise or transfer the Town's right of first refusal as provided under M.G.L. Ch. 61A, Section 14 because the property is not adjacent to any other permanently protect open space or trail connections, the remoteness of the property from the village center does not make it ideal for affordable housing, and the purchase price is approximately \$3,500,000.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to not exercise the Town's right of first refusal on Monument Street Parcel 1371-4.

Roll call vote

Ms. Escobedo: Aye
Ms. Bates: Aye
Ms. Ackerman: Aye
Ms. Hotchkiss: Aye
Mr. Johnson: Aye

**Review of 2021 General Obligation Bond Issue, Potential Refunding Opportunity and Vote
Maximum Useful Life**

Chief Financial Officer Kerry Lafleur introduced the topic by explaining the Town needs to prepare for the annual bond issuance to finance previously approved capital purchases and improvements. In order to move forward in this process, the Town must obtain a legal opinion from bond counsel confirming that all the legal requirements to issue bonds have been met. Ms. Lafleur also explained that the maximum useful life for any equipment must be identified. Ms. Lafleur expects the bond sale to occur the week of May 17, 2021. The details of the proposed bond issuance are included in the [meeting materials](#) and in the motion below.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of (i) the \$275,000 borrowing authorized by the vote of the Town passed September 13, 2020 (Article 11); (ii) the \$900,000 borrowing authorized by the vote of the Town passed April 10, 2019 (Article 12);

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(iii) the \$550,000 library equipment borrowing authorized by a vote of the Town passed April 8, 2019 (Article 7, Item No. 6); and (iv) a portion of the \$1,000,000 borrowing allocable to Telecommunications equipment authorized by a vote of the Town passed April 26, 2017 (Article 24) is hereby determined pursuant to G.L. c. 44, §7(1) to be as follows:

Item	Amount Borrowed ¹	<u>Maximum</u> Useful Life
Ambulance #2, Replacement	\$ 275,000	10 years
Energy Recovery Units (CPS)	\$ 690,000	25 years
A/C Chiller Replacement (Willard)	\$ 40,000	5 years
Infrastructure Replacement (CPS)	\$ 100,000	5 years
Library, Audio Visual Equipment	\$ 275,000	5 years
Library, Furniture & Equipment	\$ 275,000	5 years
Telecom, Underground Conduit	\$ 150,000	20 years

Roll call vote

Ms. Escobedo: Aye
Ms. Bates: Aye
Ms. Ackerman: Aye
Ms. Hotchkiss: Aye
Mr. Johnson: Aye

Select Board Schedule for Reviewing Warrant Article Positions

There are public hearings over the course of the next several weeks regarding articles for the 2021 Annual Town Meeting. Each year, the Select Board takes positions on warrant articles following their presentation at the public hearings. Ms. Escobedo proposed that the Select Board take positions on these articles at the following regularly scheduled meetings, rather than holding an additional meetings the same evening as the public hearing. The Select Board members agreed that this was the right approach. Residents can review the public hearings and get more information about Town Meeting on [the website](#).

Assign Select Board Narratives on Warrant Articles

The Select Board will provide a written narrative of their positions on certain warrant articles. The Select Board will discuss this further at the next meeting on May 3, 2021.

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Select Board Appointment to Affordable Housing Trust

The Concord Municipal Affordable Housing Trust was created by the passage of a bylaw at the 2020 Town Meeting. As part of their charge, the Housing Trust must appoint a Select Board member as a trustee. The Select Board members agreed the Linda Escobedo would be the best fit to serve as the Select Board representative.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to nominate Linda Escobedo as the Select Board representative to the Concord Municipal Affordable Housing Trust for a term to expire April 30, 2023.

Roll call vote

Ms. Escobedo: Aye
Ms. Bates: Aye
Ms. Ackerman: Aye
Ms. Hotchkiss: Aye
Mr. Johnson: Aye

Committee Nominations

Jennifer Hurley-Wales of 66 Old Marlboro Road to the West Concord Junction Cultural District Committee for a term to expire on April 30, 2024. Bridget Neale of 241 Prairie Street, Anne Fortier of 150 Old Pickard Road, and Paul Horwitz of 173 Hayward Mill Road to the Board of Registrars for terms to expire April 30, 2024. Karlen Reed of 83 Whits End Road to the PEG Access Advisory Committee for a term to expire on April 30, 2024. Town Manager Stephen Crane, Keith Bergman of 56 White Avenue, and Michael Lawson of 1695 Lowell Road to the Concord Municipal Affordable Housing Trust for terms to expire April 30, 2023

Town Manager Appointment with Select Board Approval

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED: to accept the Town Manager Appointment of Mera Krishnan Tilley of 65 Woodland Road to the Board of Assessors for a term to expire on April 30, 2024.

Roll call vote

Ms. Escobedo: Aye
Ms. Bates: Aye
Ms. Ackerman: Aye
Ms. Hotchkiss: Aye
Mr. Johnson: Aye

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Committee Liaison Reports

Mr. Johnson reported that the Public Ceremonies and Celebrations Committee successfully ran the virtual Patriot's Day celebration. The PCCC is now turning their focus to the Memorial Day celebration. Details will be subject to further changes in the state's reopening plan. The Concord Housing Authority's leading candidate for Executive Director has accepted a position at the Boston Housing Authority. The Housing Authority will be meeting to discuss next steps. The Middle School Building Committee voted to direct the architect to show design options that would increase the size of the gym and auditorium not to exceed the amount of \$108,000,000 for the total project cost. The Community Preservation Committee gave an update on the status of their 2021 projects.

Ms. Hotchkiss reported that the Natural Resources Commission has postponed the discussion of the Middlesex School's proposed turf fields to the next meeting. The Town of Concord received emergency certifications for a beaver dam breach on Cambridge Turnpike and on Monument Street ROW where the culvert has been impacted. They propose to clear the areas and Beaver deceivers are being implemented, which will eliminate the blockage of water.

Ms. Ackerman reported that Concord Municipal Light Plant employees have increasingly been returning to work in person rather than remotely. They will still have the ability to work remotely if needed. Broadband installs will be resumed on May 3rd to deal with the backlog caused by the pandemic. The Light Board also discussed the impacts of the recently signed [climate bill](#) on their operations. The Capital Planning Task Force unanimously determined that they will create a compromise between the option of a standing capital committee, and an enhanced planning process. This will be presented in a report to the Select Board in June. The Public Works Commission discussed investments to water infrastructure and the implementation of equipment for outdoor seating.

Ms. Bates reported that the Council on Aging discussed their in-person reopening schedule. The COA Board is still looking for one full and two associate members. The Planning Board discussed zoning and parking requirements related to the MAPC's Thoreau Depot project. They also discussed preparations for the warrant article presentations at the May 13 public hearing.

Ms. Escobedo reported that the Junction Village Open Space Task Force met for the first time. Ms. Escobedo also announced that BJ Dunn will be leaving his role as the Director at Minuteman Historical National Park.

Miscellaneous Correspondence

The correspondence was included in the packet.

Public Comments

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There were no further public comments.

Adjourn

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to adjourn.

Roll call vote

Ms. Escobedo: Aye

Ms. Bates: Aye

Ms. Ackerman: Aye

Ms. Hotchkiss: Aye

Mr. Johnson: Aye

Minuteman Media Network Coverage: <https://www.youtube.com/watch?v=jKcHnY16VnQ>

Meeting Materials: <https://concordma.gov/DocumentCenter/View/29036/April-26-SB-Packet>



TOWN OF CONCORD
Office of the Town Manager
Town House
P.O. Box 535
Concord, Massachusetts 01742

TEL: 978-318-3000
FAX: 978-318-3002

Stephen Crane, Town Manager

MEMORANDUM

To: Chair Escobedo and Members of the Board

From: Stephen Crane, Town Manager

Date: May 24, 2021

Re: Town Manager Report

Vaccine Update

The two-day clinic conducted by the Town at the temporary facility in the CCHS parking lot was highly successful. About 500 doses were administered to students from Concord, Carlisle, and others who had not yet received the vaccine. A second dose clinic will be held in three weeks.

Meeting Room Reservations

While the Town awaits action by the Legislature and Governor regarding remote participation, plans are being made for boards and committees to resume in-person meetings after June. Given the busy schedules most boards and committees have, it is likely that there will be high demand for meeting spaces. The availability of meeting rooms in Town buildings has been impacted by the space reconfigurations made during the pandemic as well as Town House being offline. For example, some conference rooms were converted to workstations to accommodate the social distancing requirements (which remain in effect until 5/29). It will take more than two weeks to unwind some of the reconfigurations that have been in place for over a year.

To ensure that boards and committees have the opportunity to use one of available meeting spaces, room reservations will only be accepted for up to 30 days for non-executive, non-regulatory boards and committees. This is to avoid one committee reserving a room for multiple weeks to the exclusion of use by other committees. This restriction will be temporary and lifted once Town buildings return to pre-pandemic configurations.

CPW

Emerson Park Improvements: Phase 1 construction will begin on Tuesday May 25 and continue into the summer months with substantial work nearing completion in mid-July. Plan of work includes the installation of new irrigation wells and irrigation system, playground surface improvements and ADA compliant walk paths and parking areas. The park will remain open during construction and work schedule will be coordinated to minimize impact to the community, however specific areas of the park will be inaccessible for a period of time. Safety is of the utmost importance while the project is underway and CPW will coordinate specific needs with individual stakeholders to ensure the park is safe during the construction period.

Sawmill Brook Culvert (Monument St) – With continuous pumping helped by a lack of rain in recent days, the upstream flooding has been significantly reduced. The plan is to run the pump intermittently depending on rainfall until the permanent repair is done. A contractor has been selected to perform the repairs which include building a coffer dam to isolate the water to allow the removal of the failed portion of the culvert and replacing it with new precast concrete. Work will also include extending the culvert downstream in order to stabilize the embankment on that side. The work is expected to begin in a week or two and should last four to six weeks.

Water Supply Conservation - Lawn Watering Restriction: A mandatory lawn watering restriction, limiting lawn watering to 1 day per week, is in effect. Rising temperatures and a lack of significant rain events predicted in the forecast are already resulting in increased water demands. Until critical infrastructure improvements at the Nagog Pond supply are complete, the water supply and customer demand situation will remain tenuous. Presently, the intake work at Nagog is expected to be completed before the end of June.

Public notice regarding this water use restriction has been distributed in a variety of ways including: News & Notice, direct mailing to all registered irrigation customers, a Code Red message, posting on the Water & Sewer Division webpage, posting on the Town's social media accounts, updated road signs throughout town, installation of lawn signs, an email to all irrigation providers who service Concord Water customers, and updating the Water & Sewer Division voicemail message. Water use restriction enforcement activities will commence as needed in the coming weeks.

CFD

Training on Musterfield Road continues with the home that was made available for training prior to demolition. Crews have been able to take part in valuable training including, search and rescue, rapid intervention team (down firefighter rescue), roof ventilation and variety of skills that are not easy to train on without the benefit of an actual structure. Crews have also been out on the Concord River training with the departments rescue boat.

Human Services

Senior Services/COA: Beginning the week of June 7, Concord COA will begin offering in person programming for fully Covid vaccinated seniors on a limited basis. As expected, there are rules and guidelines that must be followed for any Senior to enter the building; COA staff continue to communicate that the policies and rules are fluid, temporary and designed with the goal of mainlining a safe environment for all. The details of these regulations will be published in the COA newsletter which is scheduled to be mailed to all Concord residents aged 60+ during the week of 5/17.

The rules detailed in the newsletter are effective 6/7 through, at least, 7/1. They include:

- Seniors must register in advance for any program which they plan to attend, it is imperative that the staff know how many people are coming in order to set the room properly – we will be having a modified distancing for at least the next several weeks out of an abundance of caution.

- The first time any Senior comes into the office, they will be required to sign a liability release and to present proof of vaccination. These will be recorded in the database which is encrypted and secure.
- Seniors will be required to make a verbal attestation upon entering the building that they are feeling well and have no symptoms of Covid and/to have not been diagnosed with Covid in the past several weeks.
- Unvaccinated persons, or those unwilling to share proof of vaccination will be required to wear a mask at all times when in the building.
- Once a program or event has ended, seniors must leave the building soon thereafter. We realize that Seniors will be excited to see one another, but we will be requesting that all parties take their conversations outside in order for the building and program areas to be cleaned between classes.

Everyone's comfort level differs regarding post-pandemic scheduling and participating.

Therefore, should a senior not yet be comfortable coming into Harvey Wheeler to participate in an offering, there are alternatives which will be posed for anyone wishing to take part. Many programs or events will be recorded so folks can watch in their homes at their leisure.

Additionally, we are exploring the idea of hybrid models for some classes including people who wish to participate 'live' at Harvey Wheeler and those who prefer to participate from their home via livestreamed programming.

The COA vans will continue to provide transportation to medical appointments in Concord and to Acton Medical in Acton and to Market Basket in Maynard. The vans will begin offering rides to Harvey Wheeler for scheduled programming starting the week of June 7th. Currently, the vans are limited to two riders at a one time, but that will be changing in 6/7 as well. Riders will be allowed on the van at the same capacity set pre-pandemic; however, all riders MUST wear a mask while inside the van regardless of vaccination status – there are no exceptions to this rule.

COA will resume their durable medical equipment loan program starting 6/7 and will continue to offer social service support as they have been throughout the entire pandemic. Social Workers will be permitted to meet with clients in-person at Harvey Wheeler as needed in addition to conducting home visits which began in early April. The Town's geriatric nurse will begin to offer blood pressure and other health screenings by appointment and is working on a strategy to being the popular walk-in clinic offerings within the upcoming weeks.

Lastly, the COA gift shop 'Harvey's Treasure Chest' will not yet be open for in person shopping, but items for sale can be found online via the link: www.ccc.com. It is estimated that the gift show will open in late summer/early fall.

Recreation Division: Summer Camp registration began in February and nearly every week is sold out. 90% of the summer hires have been onboarded and the annual summer trainings – for camp staff and lifeguards will be running this weekend. The Emerson Pool has been filled and work will continue over the weekend to stabilize the chemicals in time for the pool's Memorial Day opening.

Facilities/Parks & Playgrounds: Town House: The Town House 1st floor project is nearing the end. It is expected to be at substantial completion by mid-June. Currently, most of the casework and trim has been installed. The flooring has been installed in the bathrooms and the painting is

80% complete. The front foyer and the flooring in the new lobby area are still incomplete. The HVAC and Fan Coil systems have all been either installed or retrofitted. The first part of the furniture plan was reviewed by staff and we are awaiting a revised plan which is due in the next 5-8 business days.

Gerow: the strategy to rebid the bathroom building portion of the project was successful as the selected contractor's bid is approximately \$120,000 less than the first round.

Regional Tourism Grant

Concord, in partnership with Lexington and Arlington, has been awarded funding to provide technical assistance to study the economic impact of tourism for each of the three towns. MAPC technical assistance is made possible through a range of sources including District Local Technical Assistance, Planning for MetroFuture Technical Assistance, and foundation grants. Awards are also made in alignment with the Baker Administration's Community Compact Cabinet Best Practices Program.

Emergency Orders and Guidance Tied to the State of Emergency

- I. **COVID-19 Emergency Orders Currently in Effect** (copies available at <https://www.mass.gov/info-details/covid-19-state-of-emergency>)
Emergency Orders not listed below have either expired on their own terms or have been rescinded.

All Orders will be rescinded on May 29 unless noted otherwise below.

- Reopening Orders
 - EO 33: Order Implementing a Phased Reopening of Workplaces and Imposing Workplace Safety Measures to Address COVID-19
 - EO 34: Order Expanding Access to and Use of State Beaches and Addressing Other Outdoor Recreational Activities
 - EO 35: Order Clarifying the Progression of the Commonwealth's Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparations at Phase II Workplaces
 - EO 37: Order Authorizing the Re-Opening of Phase II Enterprises
 - EO 40: Order Further Advancing the Re-Opening of Phase II Enterprises
 - EO 43: Order Authorizing the Re-Opening of Phase III Enterprises
 - EO 48: Order Amending the Administration of Penalties Issued Pursuant to Certain COVID-19 Orders
 - EO 50: Order Making Certain Phase III Adjustments (*rescind section 1 on June 15*)
 - Note: pursuant to this Order, municipalities were permitted to approve requests for the expansion of outdoor table service through 60 days past the end of the state of emergency
 - EO 53: Order Requiring Early Closing for Certain Businesses and Activities, Limiting Hours for Alcohol and Adult Use Cannabis Sales, and Modifying Chapter 138 License Renewal Requirements
 - Note: only Section 3 of EO 53 remains in effect (Renewal of Chapter 138 Licenses Establishments Remaining Closed During the State of Emergency)
 - EO 58: Order Returning All Municipalities to Phase III, Step 1 COVID-19 Safety Rules
 - EO 65: Order Advancing All Communities to Phase III, Step 2 of the Commonwealth's Reopening Plan
 - EO 66: Order Advancing All Communities to Phase IV, Step 1 of the Commonwealth's Re-Opening Plan and Transitioning to a Travel Advisory Policy
 - EO 68: Order Reopening Certain Phase IV, Step 2 Enterprises
- Gatherings Order
 - EO 63: Further Revised Order Regulating Gatherings in the Commonwealth (as amended by the March 22 Appendix)

- Face Coverings Order
 - EO 67: Further Revised Order Regarding Face Coverings
- Remote Meeting Authorization
 - EO 1: Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 (*rescind June 15*)
 - EO 29: Revised Order Allowing for Remote Participation for the Governor’s Council
- RMV Orders
 - EO 11: Order Authorizing Actions to Reduce In-Person Transactions Associated with the Licensing, Registration, and Inspection of Motor Vehicles
 - EO 47: Extension of Second Order Authorizing Actions to Limit In-Person Transactions at the Registry of Motor Vehicles
 - EO 64: Amendment to the Second Order Authorizing Actions to Limit In-Person Transactions at the Registry of Motor Vehicles
- EEC Orders (*rescind June 15*)
 - EO 26: Order Authorizing the Creation and Operation of Emergency Residential Programs and Emergency Placement Agencies for Children
 - EO 36: Order Authorizing Re-Opening Preparations for Child Care Programs
 - EO 49: Order Authorizing Certain Program Adjustments to Support Families with Students Engaged in Remote Learning
- Other Orders (*rescind June 15*)
 - EO 24: Order Authorizing Nursing Practice by Graduates and Senior Students of Nursing Education Programs
 - EO 42: Order Resuming State Permitting Deadlines and Continuing to Extend the Validity of Certain State Permits
 - EO 61: Revised Order Expanding Access to Inpatient Services

II. Public Health Orders

- The Department of Public Health has issued orders pursuant to the public health emergency addressing issues such as health care workforce shortages, vaccinations, and congregate care and health care facility COVID protocols. DPH is in the process of evaluating which of those policies are necessary to continue past June 15.

III. General and Sector Specific Guidance that will sunset on May 29 (available [here](#) and [here](#), unless otherwise noted)

- Mandatory Safety Standards for Workplaces
- Arcades and other indoor and outdoor game recreation
- Close Contact personal services

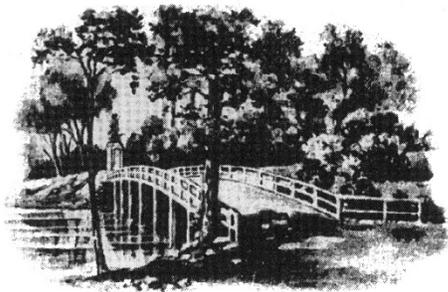
- Commencement and Graduation Ceremonies (available [here](#))
 - DESE is evaluating whether these rules will remain in place for graduations
- Driving and Flight Schools
- Fitness Centers and Health Clubs
- Indoor and Outdoor Events
- Institutes of Higher Ed – Occupancy (available [here](#))
- Large Capacity Venues
- Lodging
- Museums and Cultural and Historical Facilities and Guided Tours
- Office Spaces
- Places of Worship
- Restaurants
- Retail
- Theaters and Performance Venues
- Sectors Not Otherwise Addressed
- Phase 4 Safety Plans (available [here](#))

IV. DESE and EEC Health and Safety Requirements

- DESE COVID-19 Guidance is available [here](#)
 - Note: While DESE is evaluating the requirements, it plans to keep most of the guidance in the place through the end of the school year
- EEC COVID-19 Child Care Playbook and Massachusetts Child and Youth Serving Programs Reopen Approach (available [here](#) and [here](#))
 - Note: EEC is in the process of evaluating what guidelines will remain in place

V. Regulations Tied to the State of Emergency

- 830 CMR 62.5A.3: Massachusetts Source Income of Non-Residents Telecommuting due to the COVID-19 Pandemic (sunsets 90 days after the end of the State of Emergency)



OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN HOUSE - P.O. BOX 535
CONCORD, MASSACHUSETTS 01742

Office of Senator Michael J. Barrett
24 Beacon Street
Boston, MA 02133

Office of Representative Tami L. Gouveia
24 Beacon Street
Boston, MA 02133

RE: Letter of Support for H.3213 and S.2104: An Act updating the Open Meeting Law to support remote participation

Dear Senator Barrett and Representative Gouveia,

The COVID-19 Pandemic has posed tremendous hardship and uncertainty upon the lives of individual residents of the Commonwealth and municipalities alike. As we all look towards the new normal, the Town of Concord is aiming to continue practices adopted during the pandemic that increased operational efficiency and citizen participation. The option for remote participation in public meetings has allowed for a significant increase in citizen participation in board and committee meetings compared to pre-pandemic levels. This has allowed for increased community input and representation in board and committee discussions and decision making.

Governor Baker has marked June 15, 2021 as the end of the COVID-19 State of Emergency. With no further legislative action, municipal boards and committees would only be able to meet with a quorum of members in person beginning on June 15, 2021. This sudden change would pose a significant operational challenge to municipalities, while dampening citizen participation. The Town of Concord respectfully requests your support for [H.3213](#) and [S. 2104](#), which include the following provisions that would allow for remote or hybrid meetings beyond the end of the COVID-19 State of Emergency on June 15, 2021:

- (1) A public body may allow remote participation by any member for any meeting of the public body. For the purposes of this section, the term remote participation means participation by a member of a public body during a meeting of that public body where the member is not physically present at the meeting location.
- (2) Members remotely participating in a meeting may vote, shall be considered present and in attendance for all purposes, including for purposes of determining a quorum and for the purposes of section 23D of chapter 39.
- (3) A public body that elects to conduct its proceedings remotely shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely.

Continuing these provisions will allow for maximized public participation and assist municipalities in a smooth transition out of the COVID-19 Pandemic and into the new normal. We hope you consider these changes and be in touch if you have any questions regarding this request.

Sincerely,

Draft - J. R

SENATE No. 2104

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act updating the Open Meeting Law to support remote participation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/23/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/24/2021</i>

SENATE No. 2104

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 2104) of Rebecca L. Rausch, James J. O'Day and Joanne M. Comerford for legislation to update the Open Meeting Law to support remote participation. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act updating the Open Meeting Law to support remote participation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 30A of the General Laws, as appearing in the 2018 Official
2 Edition, is hereby amended by striking out paragraph (d) of section 20.

3 SECTION 2. Chapter 30A of the General Laws, as appearing in the 2018 Official
4 Edition, is hereby amended by inserting after section 20 the following section:-

5 Section 20A. (a) A public body may allow remote participation by any member for any
6 meeting of the public body. For the purposes of this section, the term remote participation means
7 participation by a member of a public body during a meeting of that public body where the
8 member is not physically present at the meeting location.

9 (b) Members remotely participating in a meeting may vote, shall be considered present
10 and in attendance for all purposes, including for purposes of determining a quorum and for the
11 purposes of section 23D of chapter 39.

12 (c) All members of the public body participating either remotely or at a meeting location
13 shall be clearly audible to one another.

14 (d) For any meeting conducted through remote participation, the public body shall make
15 provisions to ensure public access to the deliberations of the public body for interested members
16 of the public through adequate, alternative means. Adequate, alternative means of public access
17 shall mean measures that provide transparency and permit timely and effective public access to
18 the virtual meeting. Such means may include, without limitation, providing public access
19 through telephone, Internet or satellite enabled audio or video conferencing or any other
20 technology that enables the public to clearly follow the proceedings of the virtual meeting while
21 those proceedings are occurring. Documents used for any such meeting should be made available
22 to the public before or at the time of the meeting of the public body. Where allowance for active,
23 real-time participation by members of the public is a specific requirement of a general or special
24 law or regulation, or a charter, local ordinance or by-law, pursuant to which the proceeding is
25 conducted, any alternative means of public access shall provide for such participation. A public
26 body shall offer its selected alternative means of public access to virtual meetings without
27 subscription, toll, or similar charge to the public.

28 (e) A public body that elects to conduct its proceedings remotely shall ensure that any
29 party entitled or required to appear before it may do so through remote means, as if the party
30 were a member of the public body participating remotely.

31 (f) The executive body of a municipality shall develop and adopt standards and
32 guidelines for remote participation of public bodies that is sufficient for the municipality prior to
33 any remote meeting held pursuant to this law.

HOUSE No. 3213

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act updating the Open Meeting Law to support remote participation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/18/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/23/2021</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>5/20/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>5/20/2021</i>

HOUSE No. 3213

By Mr. O'Day of West Boylston, a petition (accompanied by bill, House, No. 3213) of James J. O'Day and Rebecca L. Rausch for legislation to further regulate the Open Meeting Law to support remote participation. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act updating the Open Meeting Law to support remote participation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 30A of the General Laws, as appearing in the 2018 Official
2 Edition, is hereby amended by striking out paragraph (d) of section 20.

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4 Edition, is hereby amended by inserting after section 20 the following section:-

5 Section 20A. (a) A public body may allow remote participation by any member for any
6 meeting of the public body. For the purposes of this section, the term remote participation means
7 participation by a member of a public body during a meeting of that public body where the
8 member is not physically present at the meeting location.

9 (b) Members remotely participating in a meeting may vote, shall be considered present
10 and in attendance for all purposes, including for purposes of determining a quorum and for the
11 purposes of section 23D of chapter 39.

12 (c) All members of the public body participating either remotely or at a meeting location
13 shall be clearly audible to one another.

14 (d) For any meeting conducted through remote participation, the public body shall make
15 provisions to ensure public access to the deliberations of the public body for interested members
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17 shall mean measures that provide transparency and permit timely and effective public access to
18 the virtual meeting. Such means may include, without limitation, providing public access
19 through telephone, Internet or satellite enabled audio or video conferencing or any other
20 technology that enables the public to clearly follow the proceedings of the virtual meeting while
21 those proceedings are occurring. Documents used for any such meeting should be made available
22 to the public before or at the time of the meeting of the public body. Where allowance for active,
23 real-time participation by members of the public is a specific requirement of a general or special
24 law or regulation, or a charter, local ordinance or by-law, pursuant to which the proceeding is
25 conducted, any alternative means of public access shall provide for such participation. A public
26 body shall offer its selected alternative means of public access to virtual meetings without
27 subscription, toll, or similar charge to the public.

28 (e) A public body that elects to conduct its proceedings remotely shall ensure that any
29 party entitled or required to appear before it may do so through remote means, as if the party
30 were a member of the public body participating remotely.

31 (f) The executive body of a municipality shall develop and adopt standards and
32 guidelines for remote participation of public bodies that is sufficient for the municipality prior to
33 any remote meeting held pursuant to this law.



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY
REGARDING THE END OF COVID-RELATED RESTRICTIONS**

On May 17, 2021, Governor Charlie Baker announced the lifting of COVID-related restrictions and the expected date for the end of the Commonwealth's state of emergency. The details of the Governor's plans can be found [HERE](#).

Beginning Saturday, May 29, 2021, all COVID-related restrictions for licensees are lifted and all licensees can resume normal operations.

The Governor's COVID-19 State of Emergency will end Monday, June 15, 2021. The end of the state of emergency brings with it two important changes:

Patios/Outdoor Expansions: licensees that have been approved for expanded patio/outdoor service pursuant to the Governor's executive orders may continue their outdoor operations for 60 days after the end of the state of emergency, which is Sunday, August 15, 2021.

The Governor and the Legislature are working on legislation to extend this deadline. However, no extension has yet been approved. Licensees that seek to continue patio/outdoor service after August 15, 2021, are encouraged to apply in the ordinary course for an alteration of premises with their local licensing authorities.

Takeaway/delivery of alcohol: establishments licensed for on-premises consumption of alcohol must end takeaway and delivery sales of alcohol on June 15, 2021.

Anyone with questions, comments, or concerns about the end of the state of emergency and its impacts on licensees should contact the Governor's Office by calling 2-1-1.

We thank licensees and the local licensing authorities for all their support and compliance during this state of emergency; we understand this has been a trying time for the entire industry. We continue to be available to local licensing authorities and licensees going forward.

Local licensing authorities are reminded that on May 26, 2021, at 10:00 a.m., the ABCC is hosting a virtual meeting to answer any questions and address concerns from local licensing authorities. All are encouraged to attend. This call will be recorded for those who cannot attend live.

As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to the ABCC Executive Director Ralph Sacramone at rsacramone@tre.state.ma.us or (617) 727-3040 x 731.

(Issued May 20, 2021)

ATM 2021 Warrant Article Narratives: SB Assignments*

Article 17: Matt; Q&A* Linda

Article 19: Linda

Article 31: Jane/staff

Article 33: Susan

Article 34*: Matt

Article 38: Susan

Article 40: Linda

Article 41: Terri

Any Additional Narratives Needed TBD

*Due before Monday, May 24,2021
5/17/21: lle

Students who successfully completed the Concord History/Guide Course in 2021 and have indicated that they will submit an application and fee for a Tour Guide License.

	FirstName	LastName	Email
1	Stefanie	Cloutier	stefanieac@comcast.net
2	Joyce	Crosby	joyce.crosby63@gmail.com
3	Renate	Gundermann	rennie.gundermann@gmail.com
4	Tracey	Guth	traceyguth@gmail.com
5	Richard	Hilton	richardthilton@gmail.com
6	Catherine	Mägi	ohg518@gmail.com
7	James	Nager	drjamesnager@gmail.com
8	Carol	Parker	carolparker1751@gmail.com
9	Richard	Smith	henry1845@hotmail.com
10	Lois	Suarez	quahogski@gmail.com
11	Zachary	Trznadel	ztrznadel@concordscolonialinn.com
12	Amity	Wilczek	awilczek@gmail.com
13	Ward	Zimmerman	consulting@enterpriz.com
14	Ward Alexander	Zimmerman	wardzimmerman@hotmail.com

May 11, 2021

To: Concord Select Board Chair Linda Escobedo; Select Board Clerk Susan Bates;
Select Board Members Terri Ackerman, Jane Hotchkiss, and Matthew Johnson;

Subject: Diversity, Equity and Inclusion in Concord

Dear Ms. Escobedo and Members of the Concord Select Board,

The murder of George Floyd and similar events have forced a national reckoning with the racism that exists at all levels of our society. It has been heartening to see the efforts that have begun to address this plague that permeates our educational system, justice system, policing.... the list goes on and on.

Democracy, Equity and Inclusion have been a main focus of the League of Women Voters nationally and at the local level where the Concord-Carlisle League has had a committee studying this problem. We have concluded that Concord, like our neighboring communities, should move forward proactively to assess and address these issues in Concord.

Some of our neighboring communities have established Diversity, Equity and Inclusion Commissions to assess and address both acknowledged and potential problems. For example, the Select Board in Sudbury created a Sudbury Diversity, Equity and Inclusion Commission "to support diversity, achieve equity, and foster inclusion for every member of this community, respecting all aspects of identities." The Commission is charged with making recommendations to the Select Board "on policies and programs to identify and eliminate conscious or unconscious biases and prejudices, to reject discrimination, and to measure, promote, and increase diversity, equity and inclusion of Sudbury's historically disenfranchised populations."

Similar initiatives have recently been taken in Acton, Lincoln, Belmont and Lexington. Others are under consideration. We have attached committee and commission charges (Acton, Lincoln, Belmont, Sudbury) and excerpts from Lexington's home page which lists a number of DEI initiatives underway.

The Concord-Carlisle School Committee has focused on DEI in the schools and recently hired a DEI Director. Important as it is to address these issues in our schools, the challenges go far beyond the schools and must be addressed on a town-wide basis. Accordingly, the League urges the Select Board to establish a Diversity, Equity and Inclusion Commission in our Town. We understand that the Town Manager is engaging a consultant to assess DEI in the Town and we

have no doubt that his findings will provide excellent information as a DEI Commission is formed.

We are hereby requesting an opportunity to discuss a community focused Commission at an upcoming Select Board meeting and would appreciate time on the agenda in July after Town Meeting. We would be prepared to invite some of the other groups in Concord working on these issues to attend and share their thoughts on the work and composition of such a Commission.

We look forward to hearing from you.

Julie Rohwein, President
League of Women Voters of Concord-Carlisle

Encl.

cc:

Stephen Crane, Town Manager, scrane@concordma.gov
State Senator Michael J Barrett Mike.Barrett@masenate.gov
Rep. Tami Gouvias (617) 722-201 tami.gouveia@mahouse.gov
Henry Dane hdane@danelaw.com
Concord School Committee
Communities Organizing Against Racism (COAR) coarcommunity@gmail.com
Robbins House 978 254-1745 info@robbinshouse.org
Concord-Carlisle Human Rights Council lpaushter@gmail.com sbarzun@gmail.com
Concord Chamber of Commerce director@concordchamberofcommerce.org
Concord Prison Outreach outreach@concordprisonoutreach.org
Center for Teacher and Parents Center for Parents and Teachers, Inc. 120 Meriam Road,
Concord, MA 01742
Concord-Carlisle Community Chest, info@cccommunitychest.org
Concord's Committee on Disability disabilitycom@concordma.gov
Concord Museum cml@concordmuseum.org
Concord Preservation Committee hampplough@concordma.gov
Community Service Coordinator, bwilbur@concordma.gov
Council on Aging/Senior Services, gquarles@concordma.gov
Concord Academy, Grant Hightower, Director of Community & Equity,
grant_hightower@concordacademy.org granthightower@concordacademy.org
Middlesex School, deitrustees@mxschool.edu
Nature Connection, info@nature-connection.org
Open Table, info@opentable.org

Faith Communities

Acton-Concord Friends Meeting 978-793-1952 Mailing: Acton Friends Meeting, c/o Douglas Armstrong, P.O Box 1401, Shirley, MA <http://neym.org/meetings/acton>

Concord Baha'i Faith 800-22-UNITE concordbahais@gmail.com

Congregation Kerem Shalom president@keremshalom.org

Duval Chapel at the New England Deaconess Association info@newburycourt.org

First Church of Christ, Scientist csconcordma.clerk@gmail.com

First Parish Unitarian Universalist contact@firstparish.org lesliefisher@treitman.com

Holy Family Parish Catholic Church 12 Monument Square, Concord, MA

The New Church of Concord 978-369-0543 53 Church Street, Concord, MA

newchurchconcord@gmail.com

New Life Community Church 978-369-0061 40 Stow Street, Concord, MA info@newlife.org

Redeemer Presbyterian Church 978-254-7353 1276 Main Street, Concord, MA

office@redeemer.org

Trinitarian Congregational Church 978-369-4837 54 Walden Street, Concord, MA

info@triconchurch.org

Trinity Episcopal Church 978-369-3715 81 Elm Street, Concord, MA

hagner@trinityconcord.org

West Concord Union Church 978-369-6309 1317 Main Street, Concord, MA

wcuc.office@gmail.com

Diversity, Equity, & Inclusion Commission

Charge - August 13, 2020

Approved by the Board of Selectmen

The Diversity, Equity, & Inclusion Commission is charged with assessing diversity, equity, and inclusion in Acton, and suggesting ways to improve any problems found. The DEIC shall consist of between nine and eleven members, plus up to two associate members.

- At least 70% of members must be Black or immigrant residents.
- One or more members should be a current student at ABRHS at the time that they become a member.
- The Commission will be chaired by a member of the Board of Selectmen with a vice-chair elected by the Commission.

The Commission's tasks are targeted at increasing communication with underrepresented racial, ethnic, and religious groups.

- Facilitate discussion among town residents about issues of diversity and equity.
- Gather first-hand experiences in Acton from under-represented racial, ethnic, and religious groups.
- Hear from groups operating in town that are targeted at related issues. • Hear from town departments that work directly with the public. • Brainstorm possible actions that can be taken to address any problems found.
- Produce a report for the Board of Selectmen documenting the state of diversity, equity, and inclusion in town, and make appropriate recommendations to address any problems found.

The Diversity, Equity, & Inclusion Commission shall file its report with the Board of

Selectmen within a year of its first meeting. The Diversity, Equity, & Inclusion Commission shall sunset one meeting after the Board of Selectmen accepts the report.

DIVERSITY TASK FORCE

Members: 9, appointed by the Select Board

Appointment: 1 Representative from Belmont Against Racism
1 Representative from Human Rights Commission
1 Representative from Community Organized for Solidarity
1 Representative from Vision 21 Committee
1 Representative from Belmont Chinese American Association
1 Representative from the Schools
1 Town Representative
2 Residents

Length of Term: 6 months

Charge Approved: February 1, 2021

Purpose: Study the causes of systemic racism and stereotypes attached to race, religion, ethnicity, sexual orientation and culture. Meet with local and state stakeholder groups to identify areas that need to be evaluated to determine if they are still appropriate in today's culture. Provide observations and develop recommendations to the Select Board for steps the Belmont community can take to combat systemic racism and embrace greater diversity, equity, and inclusion in Belmont. The committee will suggest ideas to help to educate the citizens of Belmont and make it a more welcoming community.

Deliverable: The Diversity Task Force will meet for a six-month term beginning in February 2021 and continue through the end of September 2021. The Task Force will provide an interim report to update the Select Board on their progress. A final report along with an Executive Summary will be delivered no later than September 15, 2021 to the Select Board.



Lékington

M a s s a c h u s e t t s

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Toward an Equitable and Just Community

Lexington's Diversity, Equity and Inclusion (DEI) Work

The Town of Lexington is committed to ensuring that Lexington is a safe, equitable and just community for all.



Following the national dialog on issues of social and racial equity, in the summer of 2020, the Select Board began a more formal process of examining

our policies, procedures and practices as they relate to municipal operations. This includes engaging professionals in the field, and outside consultants, to ensure comprehensive, unbiased evaluation.

The Select Board and Town Management are committed to

ensuring that our community is free from racism, discrimination, and hate.

Efforts currently underway include:

- Engaging All Aces, Inc. to serve as our Diversity, Inclusion, and Equity Transformation (DIET) partner. During this engagement, the Town will develop a comprehensive race equity plan to ensure that Lexington is an equitable community, employer, and place for business.
- Working with a Core Team made up of municipal staff and a Citizen Advisory Council, made up of members from community organizations and committees representing the diversity of Lexington's municipal workforce and population.
- Providing Racial Equity training for staff and the community.



In celebration of Asian and Pacific Islander

Heritage Month, members of the Asian American community in Massachusetts share their personal American stories. Tuesday, May 20, 7:30 PM. Register for this virtual program.



Toward an Equitable and Just Community For All, a short video featuring Lexington's Core Staff Team on DEI, as well as members of the Citizen Advisory Council, speaking about DEI.



Read the Cary Library Asian American and Pacific Islander Voices Special Edition

- Creating a new staff position in the Town Manager's Office responsible for DEI efforts.

- Establishing an online resource for all residents in conjunction with All Aces, providing an interactive, curated space of equity resources, discussion and learning opportunities.

Newsletter. It includes statements from two Asian Americans as well as book recommendations for all ages, from preschool to adult.



- Joining both the Government Alliance on Race and Equity (GARE) and the National League of Cities (NLC) in order to take advantage of their collective Racial Equity resources.

See the information gathered from our December, 2020, Racial Equity Focus Groups. This information will be used to help shape the next steps in our journey with All Aces, our DEI consultant. This is not a report.

- Ongoing Racial and Social Equity update at every regular Select Board meeting.
- Engaging the services of Town Counsel to begin the work of reviewing all Town policies. The starting point of this work was a review of the Police Department policies to ensure there is no unintended bias or discriminatory language and to make recommendations to the Select Board.
- Introducing the staff of the Police Department through short video clips that explain their work with the community, and the services and functions of the Department.

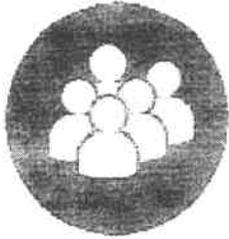
As we continue to move forward, we will post the status of these items on this page.

See our staff training, public programs and other work in this area over the past few years.



RESOURCES AND RECOMMENDED READING

- All Aces, Inc.: a DEI consulting group hired by the Town of Lexington: See All Aces intro video.
- Cary Library's Social Justice book club, including their 2020 and 2021 booklists
- Social Justice Books: booklists, reviews and book talks from Teaching for Change
- Recommend a DEI resource that you found to be informative



EVENTS AND FEEDBACK OPPORTUNITIES

- Give us your feedback on any of these issues, or your suggestions for enhancing our community
- Check back for more events and community meetings in the future



DIVERSITY, EQUITY AND INCLUSION: TOWN DEPARTMENTS AND COMMITTEES

- Lexington Human Rights Committee
- Our Police Department: information & frequently asked questions
- Human Services Department
- Lexington School Department DEI Initiative

Inclusion, Diversity, Equity, & Anti-Racism (IDEA) Initiative
Charge

February 22, 2021

Context: Embedded in our town vision statement is a commitment to fostering economic, racial, ethnic, and age diversity within Lincoln. This longstanding commitment was brought into sharper focus and scrutiny last spring after the murder of George Floyd. Members of our community responded to that tragedy by organizing vigils, reading and discussing books that address systemic racism, and by asking town government to explicitly examine the systems and actions of our own town. In response, the Board of Selectmen launched a series of events to expand understanding of the current state and attitudes of policing, social services, and land planning in Lincoln, the roles and jurisdictions of town committees, and to explore partnerships with community groups and institutions.

Through these conversations, town residents have made it clear that they want to engage in candid discussions about what diversity, equity, inclusion, and anti-racism look like in Lincoln, and to establish a long-term, town-led group that will keep Lincoln's vision of fostering and supporting diversity at the center of all we do. A number of themes have emerged that help to inform future work:

- Understanding terminology — The words diversity, equity, inclusion, and anti-racism get used in many ways and many contexts. How do we create a shared understanding of their meaning and implications for Lincoln?
- Understanding Lincoln — Why is Lincoln the way it is, relative to these elements of IDEA? What is the lived experience for residents who identify as being a member of a historically underrepresented group? What do out-of-towners experience when they visit and interact with residents? Why isn't Lincoln more diverse? To what extent might solutions for addressing IDEA change specific characteristics many residents hold dear?
- Who do we want to be? — What are the problems we are trying to solve, and for whom? Are we addressing all the IDEA elements concurrently? Is it more pragmatic or impactful to focus on one specific element at a time?
- Measuring progress — How will we know that we have made a positive difference in addressing the targeted problem, improving specific IDEA elements? What is our town's current state relative to the problem? How does Lincoln compare to other towns? To which towns should we compare ourselves?
- What to celebrate and when — Some community members have expressed that Lincoln already has diversity and we should start celebrating what we have. Others think that it is not time to celebrate as much as it is time to answer hard questions and seek change.

Recognizing the breadth and depth of the themes above, the BOS is establishing a preliminary Inclusion, Diversity, Equity, and Anti-Racism Initiative to thoughtfully consider these themes, discern where to start, and to recommend a structure and charge for a future, change-oriented, longer-term, properly resourced IDEA Committee, as described below.

Charge for IDEA Initiative

Mission: The Lincoln Board of Selectmen (Board) is establishing the Inclusion, Diversity, Equity, & Anti-Racism Initiative ("IDEA" or "Initiative") to recognize and support diversity for all who live, work, learn, and visit in Lincoln, and to establish a long-term action plan to identify and address unconscious bias, to ensure just and equitable policies and inclusion, and to actively promote a diverse and antiracist community.

The IDEA Initiative is envisioned as a partnership between the Town and community groups and institutions. It shall consist of up to 11 voting members, including a member of the Board of Selectmen. In addition, IDEA will encourage liaisons from groups not already represented by a voting member and explicitly reach out to the community for broad participation.

The BOS recognizes that the work of IDEA will be dynamic and will need to develop as the group engages with the community, therefore this charge is intended as a set of guideposts to the Initiative as it begins its work. IDEA will make quarterly reports to the Board and will recommend a longer-term action plan and an initial vision for a standing committee by Town Meeting 2022.

It is expected that IDEA will work with an outside consultant and, as a town committee, will adhere to Massachusetts Open Meeting Law.

Guiding Questions:

- Considering the themes outlined earlier in this document, which should be selected as initial points of focus and why?
- Past, present and future: What can we learn? What do we know? What is our vision?
- Do we have the will, sustained energy, and resources to work towards our vision?
- What is the importance of each type of work IDEA chooses to do and where does it lead?
- What are the outcomes we are looking for?
- What kind of information, training, or consultation will be needed to support the work?

Types of Work: Although it is expected that IDEA's specific goals will develop and change as data is gathered and questions are raised, there are certain anticipated types of work:

- Training: IDEA members will go through training to build a shared vocabulary, set of guiding questions, and the group's capacity to engage with the community around issues of inclusion, diversity, equity, and anti-racism. • Gathering Information:
- Listening: IDEA will find multiple ways to gather first-hand experiences, attitudes, and visions from residents, employees, students, and visitors.
- Data Collection: IDEA will identify and collect the types of data that are important for understanding Lincoln within the context of the region. It will suggest a baseline set of metrics that can be measured regularly to determine progress on the specific proposed challenges IDEA recommends the town target.
 - Sub-committees may be established as needed to focus on particular issues.
- Collaboration: IDEA will serve as a central collaboration point for Town and community groups, committees, and individuals.
 - ◊ IDEA recognizes that Town and community groups may each have separate goals and initiatives that are related to, but not organized by the Initiative.
- Communication: IDEA will establish regular communication tools to provide transparency to and to engage with the community. • Expected Deliverables:

- Share findings on a regular basis with the Board at least on a quarterly basis.
- Identify immediate and short-term actions.
- Plan for the Next Phase: The Initiative will develop a recommended action plan that includes short-term priorities and that lays out recommendations for a standing IDEA

2

Committee, which the IDEA Initiative will share with the town at the 2022 Annual Town Meeting.

- The plan for the standing committee will address findings, goals, and next steps, and will include specific financial and personnel resources needs.
 - Believing that standing committees are most effective when they regularly reassess their composition, goals, and effectiveness, the Board expects that the recommendation will outline an iterative process for reviewing the composition and work of the IDEA Committee within a specified time horizon, of not more than 3 years, when Annual Town Meeting will hear a report and a recommendation for how best to refocus the IDEA Committee's work.
- Membership: The IDEA Initiative shall be appointed by the Board of Selectmen. All appointments will continue through Town Meeting 2022, at which time the action plan will recommend the membership composition and terms of the standing committee that will be going forward.

- Voting Members (up to 11 — required to be Lincoln residents unless a student)
 - Member, Board of Selectmen (1)
 - One member nominated by the LPS School Committee (1)
 - One current student of Lincoln-Sudbury Regional HS (1)
 - up to eight community members (8)
- Liaisons — These will be members who shall regularly communicate the work of IDEA to their groups and will be asked to weigh in on all decisions. Groups already represented by members will not need a formal liaison. The following list is a suggestion; all Town and community groups are encouraged to engage with the IDEA (Liaisons do not need to be Lincoln residents.)
- Town Boards: Housing Commission; Council on Aging Board; Planning Board, Historical Commission, Green Energy Committee, Conservation, Parks & Recreation, Celebrations Committee, Lincoln Library, Bemis Trustees, etc.
 - Community Groups: A middle school student(s), WIDE, PTO, METCO Coordinating Committee, Historical Society, religious institutions, private preschools, Rural Land Foundation/Lincoln Land Conservation Trust, Lincoln Garden Club, etc.
- Community Institutions: Historic New England, deCordova Sculpture Park & Museum, Drumlin Farm, Food Project, Farrington NatureLinc, etc.
- Ex Officio Members ○ Town Administrator or Designee ○ LPS Superintendent or Designee ○ COA Director or Designee

It is the Board's goal to appoint a committee with majority membership from historically underrepresented groups. Governance:

- The IDEA Initiative shall meet at least on a monthly basis.
- Meetings shall be open to the public in compliance with Open Meeting Law. This is true both for IDEA meetings and for meetings of any sub-committees.
- All communications between members and with the public shall be in compliance with Open Meeting Law.
- IDEA shall appoint a Chair, a Vice-Chair (or co-Chairs), and a Recording Secretary.

TOWN OF SUDBURY
SUDBURY DIVERSITY, EQUITY, AND INCLUSION COMMISSION
Approved by the Board of Selectmen: November 17, 2020
Amended: April 6, 2021

Mission:

The Select Board is creating the Sudbury Diversity, Equity, and Inclusion Commission to support diversity, achieve equity, and foster inclusion for every member of this community, respecting all aspects of identities. The Commission shall also critically consider intersections among these groups to facilitate learning, understanding, and unity.

The Commission shall consist of up to thirteen members-and Advisory members. The Commission shall make recommendations on a quarterly (minimum) basis to the Sudbury Select Board on policies and programs to identify and eliminate conscious or unconscious biases and prejudices, to reject discrimination, and to measure, promote, and increase diversity, equity, and inclusion of Sudbury's historically disenfranchised populations. Within the first year, the commission will present an action plan to move the town toward the following goals.

Goals:

- I. The Commission will meet at least monthly to hear testimony from towns people, deliberate on those discussions and submit a report within the first year, including an action plan, to the Select Board which will then oversee the implementation of the recommended actions. To accomplish this goal, the Commission will:
 - a. provide training for the members to self-examine and recognize their own experience with historically disenfranchised populations and unconscious bias,
 - b. Gather first-hand experiences in Sudbury from historically disenfranchised populations.
 - c. Solicit feedback from town departments, boards, and committees.
 - d. Collaborate with groups operating in town that are focused on related issues.
 - e. Facilitate discussions and education forums for town residents about issues of diversity, equity, and inclusion.
2. The Commission will identify ways to promote awareness, engagement, and community building around diverse experiences and to create a more inclusive community, including:
 - a. Brainstorm possible actions that can be taken to address any problems/issues found.
 - b. Leverage final report as presented to the Select Board documenting the state of diversity, equity, and inclusion in town to make appropriate recommendations and address any problems found.
3. The Select Board, in partnership with the Commission, to present findings to the town.

Membership:

The Sudbury Diversity, Equity, and Inclusion Commission shall be appointed by the Select Board according to the following list. All appointments shall expire on May 31, 2022 but may be extended by the Select Board. Members will be reflective of the diversity of the Sudbury community. The membership will be established through an open request to all residents of the town. The Select Board will send notice of the application process to all faith communities, local civic organizations, town boards and committees, local media (including print and digital and social media) and any other outlet that will help to reach the broadest range of residents.

The Commission shall elect a Chair and Vice-Chair or Co-Chairs, and a Clerk from among its members. The Chair or Co-Chairs will run the meetings, be the designated communications link with the Select Board, and schedule meetings. Commission members will be initially appointed to serve until May 31, 2022.

Membership (voting members) will include:

- Sudbury resident(s), including Students or Parents of Students attending Sudbury schools.....(up to 14 members)

Advisory (non-voting members):

- Sudbury Police Chief or delegate from Sudbury Police Department
- Town of Sudbury Town Manager or delegate .
- Sudbury Public School and/or Lincoln Sudbury Regional High School
- One member nominated by the Sudbury Clergy Association ♦ Select Board liaison .

Areas of expertise/experience for members may include but not limited to:

- Business representatives
- Education
- Parent or caregiver
- Student
- Human Resources
- Immigration law
- Medical and healthcare
- Minority affairs
- Real estate/Affordable Housing ♦ Social Work

The Commission consists of a group of Commission members and a small group of Advisory members. Commission members are voting members and must be available and willing to attend the majority of scheduled meetings. They may draw upon the expertise of Advisory members, who will be requested to attend meetings and/or discuss topics for which their expertise is needed. The Chair or Co-Chairs will run meetings,

be the designated communications link with the Town Manager and other Town staff, and schedule committee meetings. The Commission may internally select a Clerk who will ensure that full minutes and a list of members in attendance are kept of each meeting and promptly submitted to the Commission for approval, filing with the Town Clerk, posting to the Town's website, and disseminating to the Advisory membership.

The Select Board shall determine by March 31, 2022 whether to modify the mission statement, Commission charge, or Commission composition, and act to establish duration of term effective June 1, 2022.

Meetings will be open to the public, recorded, and will include community wide surveys and discussion groups.

Compliance with State and Local Laws and Town Policies

The members Of the Sudbury Diversity, Equity, and Inclusion Commission are responsible for conducting their activities in a manner which is in compliance with all relevant state and local laws and regulations including but not limited to the Open Meeting Law, Public Records Law, and Conflict of Interest Law, as well as all Town policies which affect commission membership. In particular, all appointments are subject to the following:

The Code of Conduct for Selectmen Appointed Committee

The Town's Email Communication for Committee Members Policy

- Anyone appointed to serve on a Town committee by the Select Board agrees that he/she will use email communication in strict compliance with the Town of Sudbury's email policy, and further understands that any use of email communication outside of this policy can be considered grounds for removal from the Commission by the Selectmen.

use of the Town's Web site

- The Commission will keep minutes of all meetings and post them on the Town's web site. The Commission will post notice of meetings on the Town's website as well as at the Town Clerk's Office.

From: Richard Landers <rlanders@concordma.gov>

Date: May 18, 2021 at 12:54:15 PM EDT

To: Linda Escobedo <lescobedo@concordma.gov>, Susan Bates <sbates@concordma.gov>, Jane Hotchkiss <jhotchkiss@concordma.gov>, Terri Ackerman <tackerman@concordma.gov>, Matthew Johnson <mjohnson@concordma.gov>

Subject: Concord Dispatch Follow-up

Dear Members of the Select Board:

This is just a note in follow-up to last night's Board meeting during which was discussed the governance agreement and other outstanding issues related to the proposed regionalization of Acton and Concord public safety dispatch operations. I believe you have had a chance to review the material I previously provided (again attached for your reference) which identifies how the matters involved reach far beyond the mere relocation of a 911 call center and will negatively impact residents, employees and commercial interests of the Town of Concord.

Many of these negative impacts have not yet been fully explored nor quantified, but I am greatly concerned that pressure to authorize the next step in the "study" will create a new public entity with obligations that will become hard to undo in the future.

As the supervisor of Concord Public Safety Communications, I can speak for all Concord Dispatchers when I say that it is an honor and privilege to serve the Town of Concord as its "first first-responders." The current talk of outsourcing is heart-breaking for us, a number of whom have proudly served this community for more than a decade and also received Life-Saving Awards.

I am at your disposal to provide any further information and insight you may require on this matter. In particular, the Concord Dispatchers look forward to being able to speak with you directly in such time that it will help clarify your deliberations before any future commitments on regionalization are made. My cell phone # is 978-727-6133 or you can reach me by email.

Thank you in advance for your consideration.

Respectfully,
Rich Landers

LEAD DISP Richard Landers, KB1JTX

Training Coordinator, MPTC 1st Responder/CPR Instructor

Concord Public Safety Communications

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Concord, MA 01742

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rlanders@concordma.gov

TO: MEMBERS OF THE SELECT BOARD
FROM: HENRY J. DANE
SUBJECT: REGIONAL DISPATCH AGREEMENT
DATE: MAY 20, 2021

This is a follow-up to the remarks I made as a citizen at the conclusion of the Board meeting on Monday. The significance of the decision the Board makes on this matter goes far beyond addressing a routine personnel issue in the Public Safety Department and providing adequate dispatch staffing to meet infrequent, but serious emergencies. I propose there are other and better solutions, and even if the Board decides to endorse the RECC, the proposed Agreement has serious deficiencies both conceptual and technical.

1. There are better, more easily available, and probably cheaper ways to address the staffing issue without establishing an independent governmental agency giving the Town Managers of Acton and Concord virtually unlimited administrative and budgetary authority with little meaningful accountability. It is likely that the salaries of the proposed Executive Director Secretary, Treasurer, and the new supervisory positions to be created under the RECC would more than pay for the additional dispatchers that are needed to meet our public safety needs, and the funds to pay for them could be paid with resources already available. In other words, if the Town Manager believed that the need was there and the urgency is as represented by the Chiefs, these positions could be posted and filled far more quickly and efficiently without the months or even years that would pass before the new entity was approved, established, funded, staffed and equipped.
2. The outsourcing of an essential town function to an independent entity with management and fiscal autonomy, with no accountability and with legal authority to assess the town for its expenses without appropriation is a bad idea and sets a dangerous precedent.
3. We should not be seduced with promises of state funding which experience teaches us is subject to changing bureaucratic and legislative priorities. A good example is the Community Preservation Act under which we were induced to impose a surtax on the annual real estate tax bill in order to obtain matching funds (“free money”) in ever dwindling amounts. At least, under the CPA, the expenditures are subject to adjustment and appropriation based on available funds. The state has its own budget to balance, and it has no problem taking every opportunity to shift financial burdens to the Towns with the promise of returning to us a small portion of the taxes our citizens pay to the state.
4. Even if the joint dispatch is a good idea, it needs to be restructured to give the Town more control and make its Board of Directors accountable to the Town; and

5. The Agreement presented to the Board for approval is poorly drafted and, once adopted may be amended only by the two Town Managers, and not by the towns that adopted it. The draft Agreement needs serious editing and review to be acceptable.

ACCEPTANCE OF THE AGREEMENT REQUIRES VOTES OF THE TWO SELECT BOARDS (not Chief Executive Officer):

G.L. Ch 6A, Sec., 18Q says that if the planning council recommends establishment, the Boards of Selectmen shall vote on whether to accept the proposed District Agreement. The statute provides the specific language for the vote.

With that vote of the Select Board, the District is established as a Public Body Politic and Corporate with all the powers listed in Sec.18R. Despite discussion to the contrary that things would be adjusted and revised as needed along the way, the Agreement the Town has no control over the amendments that the Town Managers may, in the future adopt under their powers. Under Sec. 15, this is "the entire agreement of the parties. "

The lack of a provision for amendment by the member communities during the initial 25 year term (except for the purpose of admitting new members - see: Sec. 6.6) is one of the many technical defects of the Agreement.

POWERS OF DIRECTORS:

DIRECTORS: The Directors are not elected by the participating towns, but are established under the Agreement as the Town Managers of Concord and Acton with no power on the part of the member communities to add, change or remove Directors.

POWERS: Under the Agreement and the Act, the Directors have close to absolute power and authority with regard to all matters under their jurisdiction, with none of the Officers, Chiefs or Emergency Management Directors having any but advisory functions. Note that these powers and the extent of this authority exceeds that of any other official, board or body of the Town. These powers include:

3.3 to delay implementation subject to funding

4.2 all other power of a RECC under the statute

4.8 over all administrative authority including annual operating and capital budget

4.17 to adopt and waive all procedural rules

5.3 & 5.4 Appoint Secretary, Treasurer and Executive Director and determine their compensation, and to establish an operations committee (which is purely advisory under the Agreement)

5.4 employ supervisory and operating personnel. Salaries and benefits are determined by and subject to approval by the Board.

6.2 & 4 New members are admitted by the RECC Board

8.4, 5 & 8 Approve and apportion its budget

8.7 upon approval of the budget by the Board, the Board shall apportion the amount so determined among the member municipalities . . .the amount apportioned for each member municipality shall be certified by the Executive Director to the chief executive officers, board of assessors and treasurers of the participating municipalities . . . and the amounts so certified shall be appropriated and paid to the District. Under Sec. 19, if the town fails to appropriate sufficient funds to satisfy the assessment, "the Board of Assessors shall raise the amount in the tax levy for that year under M.G.L. C. 59, Sec. 23."

8.13 & 19 The Assessors shall levy funds appropriated

8.15. The allocation between the member communities is based on relative US Census population and 911 call volume. We need to review the impact of the Reformatory, Emerson Hospital, the National Park, nursing homes, private schools, Hanscom Field and other institutions, and facilities on the financial obligations assumed under the Agreement.

11.7 Amendment to the Agreement is by an undefined "super-majority" of the Directors, not by the Select Board of the member towns. A "super-majority" of two or even three or four is no different from a regular majority.

Incidentally, with a Board consisting of only two members, under the Open Meeting Law, they can't even talk to each other without calling a public meeting. I that plausible?

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From: tbartevyan <tbartevyan@yahoo.com>

Sent: Monday, May 24, 2021 6:48 AM

To: Linda Escobedo <lescobedo@concordma.gov>; Susan Bates <sbates@concordma.gov>; Jane Hotchkiss <jhotchkiss@concordma.gov>; Terri Ackerman <tackerman@concordma.gov>; Matthew Johnson <mjohnson@concordma.gov>; Jeremy Romanul <jromanul@concordma.gov>; Gouveia Tami - Rep. (HOU) <tami.gouveia@mahouse.gov>; State Sen. Mike Barrett <mike.barrett@masenate.gov>

Cc: Henry Dane <hdane@danelaw.com>; Kaari Tari <ktari@concordma.gov>; julie rohwein <julie_rohwein@post.harvard.edu>; Diane Proctor <dpdproctor@gmail.com>; K Reed <kreedtelecom@gmail.com>; Mark Gailus <mark_gailus@yahoo.com>

Subject: Remote participation in public meetings. (and p.s. re: CEO of a Town)

May 24, 2021

Dear Members of the Concord Select Board, Senator Barrett, and Representative Gouveia,

Re: The Select Board's draft letter to Senator Mr. Michael Barrett and Representative Dr. Tami Gouveia asking them to support H. 3213 and S. 2104, "**An act updating the Open Meeting Law to support remote participation**":

The remote participation option in public meetings has some obvious advantages, such as convenience and in some cases the possibility for larger viewing by members of the public.

However, the ability for larger viewing by members of the public should not be confused with more public participation.

The current Open Meeting Law does not require Chairs of public bodies to take or allow public comment during meetings (outside of Public Hearings, which are not part of the Open meeting Law.) When a Board or Committee allows public comment, it is as a courtesy.

In pre-COVID in person public meetings, there was a requirement that the attending public be accommodated, per the Open Meeting Law. Even though a public body may not have allowed public comment, members of the public were able to see each other, and speak with each other during breaks or outside the room. They were able to exchange documents or contact information.

In short, the assumed "setting" of the original Open Meeting Law allows more interactive options for the public than the current remote practices provide.

As a remedy, H. 3213 and S. 2104 should include a provision that public bodies are required to allow public comment. This way members of the public body can be heard by each other, just as they would be in in-person meetings.

Also, both bills should make sure that whenever there is a physical location for a meeting, physical attendance by the interested public should be accommodated, as before.

One absolutely does not want a situation when a public body meets in person but allows only remote participation by the public. This kind of set up would be vulnerable to multiple intentional or unintentional violations of the Open Meeting Law.

I urge you to consider not only what the advantages of remote participation are, but also what the public loses without in person participation, and how that can be remedied in a new version of the Open Meeting Law.

Physical participation both by committee members and by members of the public should remain an option that is required to be available. Public comment possibility should be made mandatory, as well as allowing members of the public to "see" each other (who is there) online.

Thank you for your consideration, and kindly post this letter.

Best regards,

Tanya B. Gailus

p.s.: A separate Select Board matter: Mr. Henry Dane, in his comprehensive letter about the Regional Dispatch Agreement, says "Acceptance of the Agreement Requires Votes of the Two Select Boards (not Chief Executive Officer.)"

I wanted to point out, for purposes of general discourse, that in fact M.G.L. Chapter 4, Section 7, Clause Fifth B states that in a town, the Chief Executive Officer IS the Select Board (not the Town Manager,) unless local charter specifies otherwise.